



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Department of Labor & Industries

- ☒ **Preproposal Statement of Inquiry** was filed as WSR 04-14-088 ; or
☐ **Expedited Rule Making--Proposed notice** was filed as WSR _____; or
☐ **Proposal is exempt under RCW 34.05.310(4).**

- ☐ **Original Notice**
☐ **Supplemental Notice to WSR** _____
☐ **Continuance of WSR** _____

Title of rule and other identifying information: WAC 296-46B-900, Electrical work and permits and fees; WAC 296-46B-905, Inspection; WAC 296-46B-915, Civil Penalty Schedule; WAC 296-46B-925, Electrical/telecommunications contractor's license, WAC 296-46B-970, Continuing education. General requirements—continuing education classes requirements for administrator, master electrician, and electrician renewal.

This rule proposal is related to an emergency rule that went into effect on August 2, 2004 as WSR 04-16-076.

Hearing location(s):

September 21, 2004 8:00 AM September 22, 2004 10:00 AM
 Department of Labor & Industries Department of Labor & Industries
 7273 Linderson Way SE 3001 W. Broadway Ave
 Olympia, WA 98504 Moses Lake, WA

Date: September 21 & 22, 2004 Time: 8:00 AM & 10:00 AM

Submit written comments to:

Name: Christine Swanson
 Address: 7273 Linderson Way, Olympia, WA 98504-4400
 e-mail copc235@lni.wa.gov
 fax (360)902-5292 by September 22, 2004

Assistance for persons with disabilities: Contact

Christine Swanson by September 7, 2004

TTY (360) 902-5797 or (360) 902-6411

Date of intended adoption: October 20, 2004

(Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
See Attachment A.

Reasons supporting proposal: **See Attachment A.**

Statutory authority for adoption: Chapter 19.28 RCW,
 Electricians and Electrical Installations

Statute being implemented: Chapter 19.28 RCW,
 Electricians and Electrical Installations

Is rule necessary because of a:

Federal Law? ☐ Yes ☒ No
 Federal Court Decision? ☐ Yes ☒ No
 State Court Decision? ☐ Yes ☒ No
 If yes, CITATION:

CODE REVISER USE ONLY

WSR#04-17-094

DATE

August 17, 2004

NAME (type or print)

Paul Trause

SIGNATURE

TITLE

Director

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

See Attachment A.

Name of proponent: (person or organization) Department of Labor & Industries

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Ron Fuller	Tumwater, Washington	(360) 902-5249
Implementation....Patrick Woods	Tumwater, Washington	(360) 902-6348
Enforcement.....Patrick Woods	Tumwater, Washington	(360) 902-6348

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No. Explain why no statement was prepared.

The department evaluated the proposed rules and determined that there is no increase in costs to business, therefore, we did not prepare a small business economic impact statement or a cost-benefit analysis.

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No: Please explain:

The department evaluated the proposed rules and determined that there is no increase in costs to business, therefore, we did not prepare a small business economic impact statement or a cost-benefit analysis.

Attachment A

Amendments to:

Electrical safety standards, administration, and installation (Chapter 296-46B WAC)

- **Purpose of the proposal and its anticipated effects, including any changes in existing rules**
- **Reasons supporting proposal**
- **Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters**

This rulemaking proposes to make the following amendments to the Electrical work and permits and fees rules:

- A permit will no longer be required to perform only maintenance work on a sign.
- This requirement was an unintended consequence of a rulemaking in 2003. This amendment will restore previous business practices.
- Any electrician with a certificate to teach continuing education classes may be an electrical instructor, this includes, all administrators and all electricians including specialty electricians.

An emergency rule went into effect August 2, 2004 (WSR 04-16-076) to immediately put the above rules in effect. This rulemaking will make these amendments permanent.

This rulemaking also proposes to:

- When service call companies respond to a call they do not know exactly what type of work will need to be performed. Under the current rules, before they can perform most types of electrical work they can do two things: 1) call back to the office and have them immediately purchase an electrical permit or 2) leave the job and go to L&I and purchase a permit. Both options are a work stoppage challenge for this industry and do not make business sense.

This rule proposal will create a provisional electrical permit to allow service call companies some flexibility with permitting. The department will allow this provisional permit as long as an electrical permit is purchased within two working days after posting the provisional permit.

- The definition of independent power producer is clearly defined per directive from the Electrical Board in a policy. This rulemaking proposes to place the policy language into rule. The policy will be repeal.